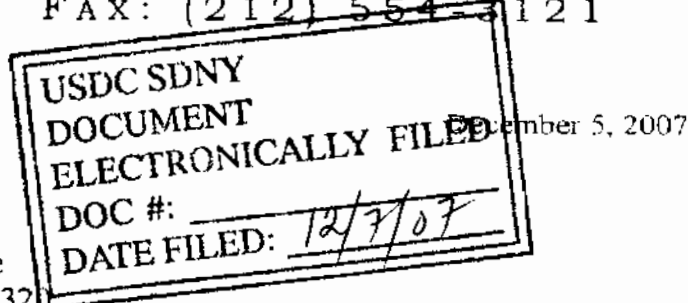


**HAYES & MALONEY LLP**  
 1 ROCKEFELLER PLAZA, SUITE 1005  
 NEW YORK, NEW YORK 10020  
 VOICE: (212) 554-3120  
 FAX: (212) 554-3121



**Via Fax**

Hon. Loretta A. Preska  
 United States Courthouse  
 500 Pearl Street, Room 1320  
 New York, NY 10007

**Digital Art Services, Inc. v. Verizon Communications Inc. et al.**  
**S.D.N.Y. No. 07 CIV 8592 (LAP)**

Dear Judge Preska:

I am counsel to Plaintiff Digital Art Services, Inc., in the above-referenced case and submit this letter to the Court to apprise the Court of developments among the parties and seek an extension of time.

The parties have been engaged in discussions regarding the allegations contained in the plaintiff's complaint. As a result of those discussions, plaintiff has agreed to file an amended complaint. In light of the expected amendment, the parties agree that it would be inefficient for the defendants to respond to the current complaint and therefore jointly request that the current schedule be adjourned. ~~Plaintiff will file its amended complaint by December 20, 2007, and Defendants agree to answer, move, or otherwise respond within 30 days of service of the amended complaint.~~ This is plaintiff's first request for an adjournment or extension. This extension would not affect any other scheduled dates.

Counsel is available at the Court's convenience to answer any questions the Court may have.

SO ORDERED

*Loretta A. Preska*

LORETTA A. PRESKA  
 UNITED STATES DISTRICT JUDGE

*December 7, 2007*

cc: Craig S. Primis, P.C. (via e-mail)  
 Patrick J. Reilly, Esq. (via e-mail)

Sincerely,

*Andrew W. Hayes*  
 Andrew W. Hayes (AH-2570)